

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MICHAEL HICKS,)	
)	
Plaintiff,)	Case No.
v.)	Judge
)	
P.O. JENKINS #8917, Individually and)	Magistrate Judge
THE CITY OF CHICAGO, a Municipal Corp.)	
)	Jury Demand
Defendants.)	

COMPLAINT

NOW COMES the Plaintiff, MICHAEL HICKS, by and through his attorneys, GREGORY E. KULIS & ASSOCIATES, LTD., complaining against the Defendants, P.O. JENKINS, individually, and THE CITY OF CHICAGO, as follows:

COUNT I – EXCESSIVE FORCE

1) This action is brought pursuant to the Laws of the United States Constitution, specifically, 42 U.S.C. §1983 and §1988, and the laws of the State of Illinois, to redress deprivations of the Civil Rights of the Plaintiff and accomplished by acts and/or omissions of the Defendants committed under color of law.

2) Jurisdiction is based on Title 28 U.S.C. §1343 and §1331, and supplemental Jurisdiction of the State of Illinois.

3) The Plaintiff, MICHAEL HICKS, was at all relevant times a United States citizen and permanent resident of the State of Illinois.

4) The Defendant, P.O. JENKINS, was at all relevant times a duly appointed police officer of the CITY OF CHICAGO and was acting within the scope of his employment and under

color of law.

- 5) On June 2, 2020, the Plaintiff was in the vicinity of 68th and Prairie in Chicago, IL.
- 6) The Plaintiff was taken into custody.
- 7) The Defendant, without just cause, attacked the Plaintiff, throwing him to the ground.
- 8) The Defendant's use of force was excessive.
- 9) The Defendant's use of force was unreasonable.
- 10) As a result of the actions of the Defendant, P.O. JENKINS, the Plaintiff was injured.
- 11) Said actions were intentional, willful, and wanton.
- 12) Said actions of the Defendant, P.O. JENKINS, violated the Plaintiff, MICHAEL HICKS' Fourth and Fourteenth Amendment Rights of the United States Constitution as protected by 42 U.S.C. §1983.
- 13) As a direct and proximate consequence of said conduct of the Defendant, P.O. JENKINS, the Plaintiff, MICHAEL HICKS, suffered violations of his constitutional rights, emotional anxiety, fear, pain, suffering, monetary loss and expense.

WHEREFORE, the Plaintiff, MICHAEL HICKS, prays for judgment against the Defendant, P.O. JENKINS, for reasonable compensatory damages, punitive damages, plus attorneys' fees and costs.

COUNT II – INDEMNIFICATION – CITY OF CHICAGO

1-13) The Plaintiff, MICHAEL HICKS, hereby realleges and incorporates his allegations of paragraphs 1-13 of Count I as his respective allegations of paragraphs 1-13 of Count II as though fully set forth herein.

14) Illinois law provides that public entities are directed to pay any tort judgment for compensatory damages for which employees are liable within the scope of their employment activities.

15) Defendant, P.O. JENKINS is an employee of the CITY OF CHICAGO Police Department who acted within the scope of their employment in committing the misconduct described herein.

16) Should the Defendant, P.O. JENKINS, be found liable for the acts alleged above, the CITY OF CHICAGO would be liable to pay the Plaintiff, MICHAEL HICKS, any judgment obtained against said Defendant.

WHEREFORE, the Plaintiff, MICHAEL HICKS, prays for judgment against the Defendant, P.O. JENKINS, for reasonable compensatory damages, punitive damages, and costs.

JURY DEMAND

The Plaintiff, MICHAEL HICKS, requests a trial by jury.

Respectfully submitted,

/s/Gregory E. Kulis

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